

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANNY WALKER and
JAMES ALEXANDER,

Plaintiffs,

No. C 06-4354 PJH

v.

ORDER

DREYER'S GRAND ICE CREAM, INC.;
NESTLE U.S.A., INC.; DREYER'S GRAND
ICE CREAM HOLDINGS, INC.; and DOES
ONE through TWENTY, inclusive,

Defendants.

On September 14, 2006, the court issued an order granting defendants' motion to dismiss plaintiffs' seventh, ninth, and tenth causes of action, and further granting plaintiffs leave to amend their complaint as to plaintiffs' tenth cause of action, and in order to state a new claim under the Americans with Disabilities Act.

Plaintiffs are hereby permitted 15 days from the date of this order, until October 3, 2006, in which to file any amended complaint. If no amended complaint is filed by October 3, 2006, plaintiffs shall proceed on their claims as pled in the current complaint on file, and as modified by the court's September 14 order.

IT IS SO ORDERED.

Dated: September 18, 2006



PHYLLIS J. HAMILTON
United States District Judge